

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ANTHONY ERNST FAIN,

Petitioner,

v.

ROB MCKENNA,

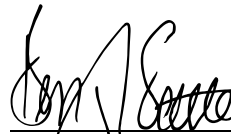
Respondent.

NO. C10-5054BHS

ORDER DENYING REPORT
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation of the Honorable Karen L. Strombom, United States Magistrate Judge (Dkt. 4). Petitioner filed a motion to proceed in forma pauperis (Dkt. 1) for his petition for writ of habeas corpus. The Magistrate Judge recommended that the Court deny Petitioner's motion to proceed in forma pauperis. Dkt. 4. However, because Petitioner has since paid the filing fee for his petition for writ of habeas corpus (Dkt. 5), his motion to proceed in forma pauperis is moot. Therefore, the Court **DENIES** the Report and Recommendation (Dkt.4).

DATED this 9th day of April, 2010.



BENJAMIN H. SETTLE
United States District Judge

ORDER